

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, the undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1802.3B (Section III 6.2 1945 Regulations) to permit a front yard setback of 7'6" in lieu of the required average of 23.5'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: _____
(Type or Print Name)
Signature _____
Address _____
City and State _____
Attorney for Petitioner: _____
(Type or Print Name)
Signature _____
Address _____
City and State _____
Name, address and phone number of legal owner, contract purchaser or representative to be contacted _____
City and State _____
Attorney's Telephone No.: _____
Address _____
Phone No. _____

Legal Owner(s):

Donald Smoot, Jr.
(Type or Print Name)

Signature _____

Kathleen B. Smoot
(Type or Print Name)

Signature _____

40 Elister Street 687-5641
Address

Baltimore, Md. 21220
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted _____

City and State _____

Attorney's Telephone No.: _____

Address _____

Phone No. _____

ORDERED By The Zoning Commissioner of Baltimore County, this 23rd day

of December, 1980, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 17th day of February, 1981, at 9:30 o'clock A.M.

Zoning Commissioner of Baltimore County.

(over)

2/19/81
9:30 A.M.

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

February 6, 1981

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

ooo
Nicholas B. Commodari
Chairman

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Mr. & Mrs. Donald Smoot, Jr.
40 Elister Street
Baltimore, Maryland 21220

RE: Item No. 117
Petitioner - Donald Smoot, Jr., et ux
Variance Petition

Dear Mr. & Mrs. Smoot:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

This Variance hearing is required in order to legalize the setback of the enclosed front porch, which does not meet the required average setback established by the dwellings on either side of this site.

Enclosed are all comments submitted to this office from the committee members at this time. The remaining members felt that no action was warranted. This petition was accepted for filing on the date of the enclosed certificate and a hearing scheduled accordingly.

Very truly yours,

NICHOLAS B. COMMODARI
Chairman

Zoning Plans Advisory Committee

NBC:bao

Enclosures



BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

January 29, 1981

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #117 (1980-1981)
Property Owner: Donald & Kathleen B. Smoot, Jr.
S/S Compass Rd. 638' S/W of Fuselage Avenue
Acres: 52 x 100.31 District: 15th

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

Baltimore County highway and utility improvements are not directly involved.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 117 (1980-1981).

Very truly yours,

ROBERT A. MORTON, P.E., Chief
Bureau of Public Services

RAM:EAM:FWR:SS

1-W Key Sheet
14 NE 30 Top. Sheet
NE 4 H Topo
90 Tax Map

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Nick Commodari Date: January 22, 1981
FROM: Charles E. (Ted) Burnham
Zoning Advisory Committee
Meeting December 23, 1980
SUBJECT: _____

ITEM NO. 116 Standard Comment
ITEM NO. 117 Standard Comment
ITEM NO. 118 See Comments
ITEM NO. 119 Standard Comment
ITEM NO. 120 See Comment
ITEM NO. 121 See Comment

Charles E. (Ted) Burnham
Plans Review Supervisor

CEB:rrt

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: January 5, 1981

Mr. William E. Hammond
Zoning Commissioner
Baltimore County Office Building
1111 West Chesapeake Avenue
Towson, Maryland 21204

Z.A.C. Meeting of: December 23, 1980

RE: Item No: 116, 117, 118, 119, 120, 121
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. Hammond:

All of the above have no bearing on student population.

Very truly yours,

Wm. Nick Petrovich, Assistant
Department of Planning

WNP/bp



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
694-3211

NORMAN E. GENDER
DIRECTOR

January 29, 1981

Mr. William Hammond, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #117, Zoning Advisory Committee Meeting, December 23, 1980, are as follows:

Property Owner: Donald and Kathleen B. Smoot, Jr.
Location: S/S Compass Road 638' S/W of Fuselage Avenue
Acres: 52 X 100.31
District: 15th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

This plan has been reviewed and there are no site-planning factors requiring comment.

Very truly yours,

John L. Wimbley
Planner III
Current Planning and Development

JLW:rh



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204
825-7010

PAUL H. REINCKE
CHIEF

January 22, 1981

Mr. William Hammond
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Donald & Kathleen B. Smoot, Jr.

Location: S/S Compass Road 638' S/W of Fuselage Avenue

Item No.: 117 Zoning Agenda: Meeting of Dec. 23, 1980

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

() 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments at this time.

REVIEWED: _____ Noted and Approved: _____
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb

ORDER RECEIVED FOR FILING

DATE January 27, 1981
BY John P. Leland
Administrative Assistant

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will not adversely affect the health, safety, and general welfare of the community, the variance(s) should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 27th day of February, 1981, that the herein Petition for Variance(s) to permit a front yard setback of 7 feet 6 inches in lieu of the required average of 23.5 feet, for the expressed purpose of maintaining the existing enclosed front porch, as shown on the site plan filed herein and dated December 8, 1980, should be and the same is GRANTED, from and after the date of this Order, subject, however, to the approval of the aforementioned site plan by the Department of Public Works and the Office of Planning and Zoning.

William E. Hammond
Zoning Commissioner of
Baltimore County

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
S/S of Compass Rd., 630' :
SW of Fuselage Ave., 15th District : OF BALTIMORE COUNTY

DONALD SMOOT, JR., et ux, : Case No. 81-147-A
Petitioners

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel

John W. Hession, III
John W. Hession, III
People's Counsel for Baltimore County
Rm. 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 26th day of January, 1981, a copy of the foregoing Order was mailed to Mr. and Mrs. Donald Smoot, Jr., 40 Blister Street, Baltimore, Maryland 21220, Petitioners.

John W. Hession, III
John W. Hession, III

BALTIMORE COUNTY
DEPARTMENT OF HEALTH
TOWSON, MARYLAND 21204
DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE & COUNTY HEALTH OFFICER

January 21, 1981

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #117, Zoning Advisory Committee Meeting of December 23, 1980, are as follows:

Property Owner: Donald & Kathaleen B. Smoot, Jr.
Location: S/S Compass Rd 630' S/W of Fuselage Ave.
Existing Zoning: D.R. 5-5
Proposed Zoning: Variance to permit a front yard setback of 7'6" in lieu of the required average of 23.5'
Acres: 52 X 100.31
District: 15th

Metropolitan water and sewer exist, therefore no health hazards are anticipated.

Ian V. Forrest
Ian V. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

LJF/mw

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. W. E. Hammond
Zoning Commissioner
Norman E. Gerber, Director
Office of Planning and Zoning

TO: _____ Date: January 29, 1981

FROM: _____

SUBJECT: Petition No. 81-147-A Item 117

Petition for Variance
South side of Compass Road, 630 feet Southwest of Fuselage Avenue
Petitioner- Donald Smoot, Jr., et ux

Fifteenth District
HEARING: Tuesday, February 17, 1981 (9:30 A.M.)

There are no comprehensive planning factors requiring comment on this petition.

Norman E. Gerber
Norman E. Gerber, Director
Office of Planning and Zoning

NEG:JGH:ab

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

February 3, 1981

Mr. & Mrs. Donald Smoot, Jr.
40 Blister Street
Baltimore, Maryland 21220

RE: Petition for Variance
S/S Compass Rd., 630' SW of
Fuselage Avenue
Case No. 81-147-A

Dear Mr. & Mrs. Smoot:

This is to advise you that \$44.50 is due for advertising and posting of the above-property.

Please make check payable to Baltimore County, Maryland and remit to Sondra Jones, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

January 19, 1981

Mr. & Mrs. Donald Smoot, Jr.
40 Blister Street
Baltimore, Maryland 21220

NOTICE OF HEARING

RE: Petition for Variance - S/S Cowpens Road, 630' SW of
Fuselage Avenue - Case No. 81-147-A

TIME: 9:30 A.M.

DATE: Tuesday, February 17, 1981

PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE,

TOWSON, MARYLAND

William E. Hammond
ZONING COMMISSIONER OF
BALTIMORE COUNTY

VARIANCE DESCRIPTION
25 Compass Road

Located on the south side of Compass Road, approximately 630' southwest of Fuselage Avenue and known as lot # 272 as shown on Plat of Victory Villa which is recorded in land records of Baltimore County in liber 22 folio 1110.

PETITION FOR VARIANCE
15th District

ZONING: Petition for Variance
LOCATION: South side of Compass Road, 630 feet Southwest of Fuselage Avenue
DATE & TIME: Tuesday, February 17, 1981 at 9:30 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit a front yard setback of 7 feet 6 inches in lieu of the required average of 23.5 feet

The Zoning Regulations to be excepted as follows:

Section 1B02.3B (Section III C.2 1945 Regulations) - front yard setbacks
All that parcel of land in the Fifteenth District of Baltimore County

Being the property of Donald Smoot, Jr., et ux, as shown on plat plan filed with the Zoning Department

Hearing Date: Tuesday, February 17, 1981 at 9:30 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue Towson, Maryland

BY ORDER OF
WILLIAM E. HAMMOND
ZONING COMMISSIONER
OF BALTIMORE COUNTY

WEH:sj

February 27, 1981

Mr. & Mrs. Donald Smoot, Jr.
40 Ellister Street
Baltimore, Maryland 21220

RE: Petition for Variance
S/S of Compass Road, 630' SW of
Fuselage Avenue - 15th Election
District
Donald Smoot, Jr., et ux -
Petitioners
NO. 81-147-A (Item No. 117)

Dear Mr. & Mrs. Smoot:

I have this date passed my Order in the above referenced matter in accordance with the attached.

Very truly yours,

WILLIAM E. HAMMOND
Zoning Commissioner

WEH/srl

Attachments

cc: John W. Hessian, III, Esquire
People's Counsel

Mr. & Mrs. Donald Smoot, Jr.
40 Ellister Street
Baltimore, Maryland 21220

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing this 2nd day
of December, 1980.

WILLIAM E. HAMMOND
Zoning Commissioner

Petitioner Donald Smoot, Jr., et ux

Petitioner's Attorney

Reviewed by Nicholas E. Commodari

Nicholas E. Commodari
Chairman, Zoning Plans
Advisory Committee

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 15 Date of Posting 1/31/81
Posted for: Petition for Variance
Petitioner: Donald Smoot, Jr., et ux
Location of property: S/S of Compass Rd., 630' SW
of Fuselage Ave.
Location of Signs: front of property (at 25' compass)
Remarks: _____
Posted by Don Coleman Date of return: 2/6/81
Number of Signs: 7

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 095123
DATE January 12, 1981 ACCOUNT 01-662
AMOUNT \$25.00
RECEIVED FROM: Donald Smoot, Jr.
FOR: Filing Fee for Case No. 81-147-A
VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 095161
DATE February 11, 1981 ACCOUNT 01-662
AMOUNT \$44.50
RECEIVED FROM: Donald Smoot
FOR: Adv. & Posting for Case No. 81-147-A
VALIDATION OR SIGNATURE OF CASHIER

DUPLICATE
CERTIFICATE OF PUBLICATION

TOWSON, MD. January 29, 1981

THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper printed
and published in Towson, Baltimore County, Md., ~~once in each~~
of one time ~~successive weeks~~ before the 17th
day of February, 1981, the first publication
appearing on the 29th day of January
1981.

THE JEFFERSONIAN

S. L. P. Smith
Manager.

Cost of Advertisement, \$ 17.50

LEGAL
NOTICES

Petition
For Variance

15th District

Zoning: Petition for

Variance

Location: South side of

Compass Road, 630 feet

southwest of Fuselage

avenue.

Date & Time: Tuesday,

February 17, 1981 at 9:30

a.m.

Public Hearing: Room 106,

County Office Building, 111

W. Chesapeake Avenue,

Towson, Maryland.

The Zoning Commission

of Baltimore County, by

authority of the Zoning

Act and Regulations of

Baltimore County, will

hold a public hearing.

Petition for Variance to

permit a front yard setback

of 7 feet 6 inches in lieu

of the required average of

23.5 feet.

The Zoning Regulations

to be accepted as follows:

Section 1802.3B (Section

111 C.2 1945 Regulations)

front yard setbacks.

All that parcel of land in

the Fifteenth District of

Baltimore County

Located on the east side

of Compass Road,

approximately 630' south

of Fuselage Avenue and

known as lot no. 272 as

shown on Plat of Victory

Villa which is recorded in

land records of Baltimore

County in Liber 25, folio

110.

Being the property of

Donald Smoot, Jr., et ux, as

shown on plat plan filed

with the Zoning

Department.

Hearing Date:

Tuesday, Feb. 17, 1981

AT 9:30 A.M.

Public Hearing: Room

106, County Office

Building, 111 W.

Chesapeake Avenue,

Towson, Maryland.

BY ORDER OF

William E. Hammond

Zoning Commissioner

of Baltimore County

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received this 11 day of Dec., 19 81

Filing Fee \$ 25 Received: ☒ Check
☐ Cash
☐ Other

William E. Hammond, Zoning Commissioner

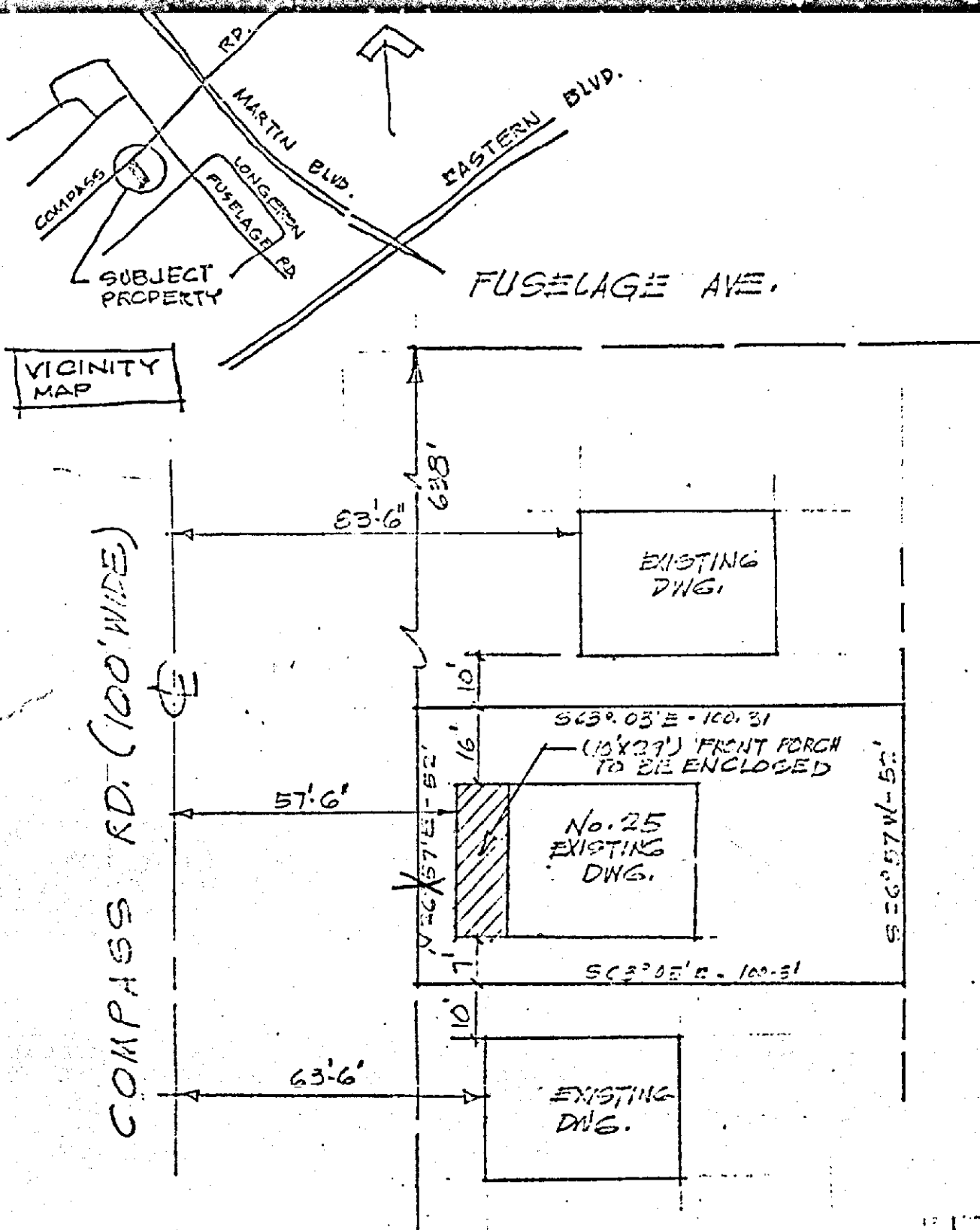
Petitioner Smoot

Submitted by M. Smoot

Petitioner's Attorney

Reviewed by WEH

*This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.



PLAT FOR ZONING VARIANCE
FOR
DONALD & KATHLEEN SMOOT
15th DIST. D.R. 5-5
VICTORY VILLA, SEC. 2
PLAT 'C' PLAT Book 22, FOLIO 111
SCALE: 1"=30'

OWNERS WILL TAKE FULL RESPONSIBILITY
AS TO THE INFORMATION PROVIDED ON
SAID PLAT PREPARED BY BALTO. CO.
Donall Smoot 12/18/80
OWNER DATE
Kathleen Smoot 12-8-80
OWNER DATE

